



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/22/01)
**Do NOT use for expedited
rule making**

Agency: Department of Agriculture		<input checked="" type="checkbox"/> Original Notice												
<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>03-15-120</u> ; or		<input type="checkbox"/> Supplemental Notice												
<input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or		to WSR _____												
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).		<input type="checkbox"/> Continuance of WSR _____												
<p>(a) Title of rule: (Describe Subject) Chapter 16-403 WAC STANDARDS FOR APPLES MARKETING WITHIN THE STATE OF WASHINGTON. The department is proposing to amend WAC 16-403-280 (Adoption of United States standards as state standards) to adopt the new U.S. standards For Grades of Apples, which were effective on December 19, 2002.</p> <p>Purpose: The purpose of the proposed amendment is to adopt the U.S. standards for grades of apples so that apples certified under Washington State standards will meet U.S. standards. This amendment will enable apples marketed in areas that require only U.S. grades to be marketed without being re-certified. This simplified process should make marketing Washington State apples easier and should reduce the industry's marketing costs.</p> <p>Other identifying information: None</p>														
(b) Statutory authority for adoption: Chapter 15.17 RCW Standards of Grades and Packs, and RCW 34.05 Administrative Procedure Act.		Statute being implemented: RCW 15.17.030												
<p>(c) Summary: By adopting the U.S. standards for grades of apples, apples certified under state standards will meet U.S. standards. This means they can be marketed in areas that require only U.S. grades without having to be re-certified.</p> <p>Reasons supporting proposal: See (c) Summary above and section (j) below.</p>														
<table border="1"><thead><tr><th>(d) Name of Agency Personnel Responsible for:</th><th>Office Location</th><th>Telephone</th></tr></thead><tbody><tr><td>1. Drafting Jim Quigley</td><td>Olympia, WA</td><td>(360) 902-1833</td></tr><tr><td>2. Implementation.... Jim Quigley</td><td>Olympia, WA</td><td>(360) 902-1833</td></tr><tr><td>3. Enforcement..... Jim Quigley</td><td>Olympia, WA</td><td>(360) 902-1833</td></tr></tbody></table>			(d) Name of Agency Personnel Responsible for:	Office Location	Telephone	1. Drafting Jim Quigley	Olympia, WA	(360) 902-1833	2. Implementation.... Jim Quigley	Olympia, WA	(360) 902-1833	3. Enforcement..... Jim Quigley	Olympia, WA	(360) 902-1833
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(e) Name of proponent (person or organization): Department of Agriculture		<input type="checkbox"/> Private <input type="checkbox"/> Public <input checked="" type="checkbox"/> Governmental												
(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters: None														
(g) Is rule necessary because of: Federal Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Federal Court Decision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No State Court Decision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, ATTACH COPY OF TEXT Citation:														
(h) HEARING LOCATION: Yakima Agriculture Center 21 North 1 st Ave. Yakima, WA Date: November 10, 2003 Time: 10:00 a.m. Assistance for persons with disabilities: Contact Laurie Crose by November 3, 2003 TDD (360) 902-1976		Submit written comments to: Jim Quigley, Program Manager WSDA Fruit & Vegetable Inspection Program P.O. Box 42560 Olympia, WA 98504-2560 FAX (360) 902-2085 By (date) 5:00 p.m. on November 10, 2003												
NAME (TYPE OR PRINT) Robert W. Gore		DATE OF INTENDED ADOPTION: November 19, 2003												
SIGNATURE		CODE REVISER USE ONLY												
TITLE Assistant Director		CODE REVISER'S OFFICE STATE OF WASHINGTON												
DATE September 29, 2003		FILED												
		SEPTEMBER 30, 2003												
		TIME: 1:52 pm WSR 03-20-094												

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed amendment adopts the United States standards for grades of apples as state standards. Adoption of the U.S. standards ensures that apples from Washington State meets or exceeds the requirements of the U.S. standards. Apples certified to meet the state standards will not be required to be re-certified for domestic or export markets that require apples to meet only the U.S. grade standards. This amendment should make marketing Washington State apples easier and should reduce the cost of marketing to the industry by eliminating the need to re-certify apples that are already state certified.

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

This amendment will enable apples marketed in areas that require only U.S. grades to be marketed without being re-certified.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

telephoning: ()

faxing: ()

☒ No. Explain why no statement was prepared

The proposed amendment does not impose any additional costs on the regulated industry. In fact, it allows the industry to reduce marketing costs while making it easier for the industry to market Washington State apples.

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain:

The Washington State Department of Agriculture is not a listed agency in RCW 34.05.328(5)(a)(i).